

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY BECKER MEISEL LLC Eisenhower Plaza II 354 Eisenhower Parkway, Suite 2800 Livingston, New Jersey 07039 (973) 422-1100 Attorneys for Jack Cabasso BEN H. BECKER (BB6377)	
In re: SOLOMON DWEK, Debtor.	Case No. 07-11757 (KCF) (Jointly Administered) Chapter 11 Judge: Hon. Kathryn C. Ferguson
CHARLES A. STANZIALE, JR., as Chapter 7 Trustee of Solomon Dwek and SEM Realty Associates, LLC, Plaintiff v. JACK CABASSO, Defendant.	Adv. Pro. No. 09-01190 (KCF)

**STIPULATION RELATING TO DEFENDANTS IN THE PONZI SCHEME
LITIGATION AND EXTENDING TIME TO ANSWER**

The relief set forth on the following page numbers two (2) through four (4) is
hereby **ORDERED**.

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Debtor: Solomon Dwek

Case No. 07-11757 (KCF)

Adversary Proc. No. 09-01190 (KCF)

Caption of Order: Stipulation Relating to Defendants in Ponzi Scheme Litigation and Extending Time to Answer

WHEREAS, on or about February 3, 2009, Charles A. Stanziale, Jr. (the "Trustee"), as Chapter 11 Trustee of Solomon Dwek and SEM Realty Associates, LLC, commenced the above-referenced adversary proceeding (the "Adversary Proceeding") against Jack Cabasso by filing a Complaint (the "Complaint") to recover alleged fraudulent transfers;

WHEREAS, this firm represents Jack Cabasso (the "Defendant");

WHEREAS, on or about March 5, 2009, the Trustee caused to be filed the Chapter 11 Plan of Liquidation Proposed By The Chapter 11 Trustee (as the same may be amended, the "Plan");

WHEREAS, pursuant to Section 5.3.i of the Plan, the Adversary Proceeding may be amicably resolved (the "Even and Down Investor Settlement");

WHEREAS, the Defendant is a "Down Investor" and asserts an unsecured claim in the amount of \$210,000.00 and desires to amicably resolve the Adversary Proceeding in accordance with the terms of the Even and Down Investor Settlement;

WHEREAS, on or about April 15, 2009, counsel for the Trustee agreed to an extension of time to a date not earlier than thirty (30) days after the entry of an Order denying confirmation of the Plan for the Defendant to file an answer or otherwise respond to or move with respect to the Complaint;

IT IS THEREFORE STIPULATED, CONSENTED, AND AGREED by and between the undersigned attorneys for the Trustee and the Defendant, as follows:

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Debtor: Solomon Dwek

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1. Subject to confirmation of the Plan, the Defendant agrees to the terms of the Even and Down Investor Settlement.

2. The Trustee shall file a Notice of Dismissal with prejudice of the Adversary Proceeding within thirty (30) days of the entry of an order confirming the Plan and approving the Plan Settlement.

3. The Defendant shall file an answer or otherwise respond to or move with respect to the Complaint within thirty (30) days from the earlier of (i) the entry of an order denying confirmation of the Plan or (ii) withdrawal of the Plan or modification of the Even and Down Investor Settlement by the Trustee.

4. Nothing contained herein shall constitute a waiver or compromise of any claims, causes of action or defenses that may be asserted in this Adversary Proceeding or otherwise.

5. The provisions of this Stipulation shall remain in full force and effect in the event that the Debtors' cases are converted to cases under Chapter 7 of the Bankruptcy Code or a Chapter 7 Trustee or examiner is appointed in connection therewith.

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Debtor: Solomon Dwek

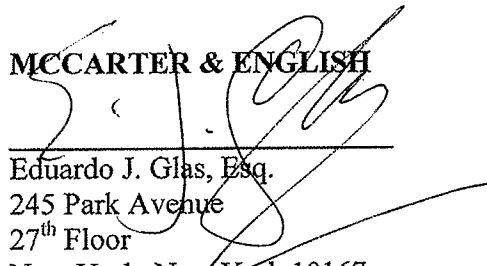
Case No. 07-11757 (KCF)

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We hereby consent to entry of the within Order.

MCCARTER & ENGLISH



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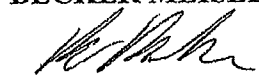
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